

AMENDED IN SENATE JANUARY 4, 2010

AMENDED IN SENATE APRIL 22, 2009

**SENATE BILL**

**No. 553**

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**Introduced by Senator Wiggins**

February 27, 2009

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*An act to amend Sections 927.1, 927.2, 927.6, 927.7, and 927.11 of the Government Code, relating to claims against state agencies. An act to amend Section 1010 of the Military and Veterans Code, relating to veterans.*

LEGISLATIVE COUNSEL'S DIGEST

SB 553, as amended, Wiggins. ~~Payment of state claims; grants; nonprofit public benefit corporations; Veterans' Home of California.~~

*Existing law provides for the establishment and operation of the Veterans' Home of California at various sites, and that there shall be an administrator for each home or homesite. Existing law defines "home" to mean the Veterans' Home of California, Yountville, and the Veterans' Home of California, Barstow. Existing law also defines "administrator" to mean the Administrator of the Veterans' Home of California, Yountville, and the Administrator of the Veterans' Home of California, Barstow. These definitions do not reference the Veterans' Home of California located in Chula Vista.*

*This bill would revise these definitions to include reference to the Veterans' Home of California located in Chula Vista.*

~~The California Prompt Payment Act generally governs the payment of invoices by state agencies. The act requires a state agency that acquires property pursuant to a contract with a business, or that awards a grant, as defined, to make payment to the person or business on the date required by the contract or grant, and within a specified period~~

from the receipt of an undisputed invoice, or be subject to a late payment penalty. Existing law defines a grant for the purposes of these provisions as a signed final agreement between any state agency and a local government agency or organization authorized to accept grant funding for victim services or prevention programs administered by any state agency.

~~This bill would extend the above provisions regarding late payment penalties to contracts with, or grants to, a nonprofit public benefit corporation. The bill would apply the above requirement regarding the timely payment of grants to any signed final agreement between any state agency and a local government agency or organization authorized to accept grant funding administered by any state agency.~~

~~Existing law provides that a nonprofit organization shall only be eligible to receive a penalty payment if it has been awarded a contract or grant in an amount less than \$500,000.~~

~~This bill would delete that limitation on the eligibility of a nonprofit organization to receive a penalty payment.~~

~~The act provides that, in the event a state agency fails to make timely payment because no Budget Act has been enacted, penalties shall continue to accrue until the time that the invoice is paid. Existing law provides that a nonprofit public benefit corporation is not eligible for a late payment penalty in those circumstances.~~

~~This bill would delete the above eligibility provision regarding nonprofit public benefit corporations, thereby making those corporations eligible for late payment penalties under the act.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 1010 of the Military and Veterans Code
- 2     is amended to read:
- 3     1010. As used in this chapter:
- 4     (a) “Home” means the Veterans’ Home of California,
- 5     Yountville, ~~and the Veterans’ Home of California, Barstow, and~~
- 6     ~~the Veteran’s Home of California, Chula Vista.~~
- 7     (b) “Administrator” means the Administrator of the Veterans’
- 8     Home of California, Yountville, ~~and the Administrator of each site~~
- 9     ~~of the southern California Veterans’ Home, including, but not~~

1 ~~limited to~~, the Veterans' Home of California, Barstow, *and the*  
2 *Administrator of the Veterans' Home of California, Chula Vista.*

3 (c) "Department" means the Department of Veterans Affairs.

4 (d) "Director" means the Director of Veterans Affairs.

5 (e) "Veteran" means a member of the home.  
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8 **All matter omitted in this version of the bill**  
9 **appears in the bill as amended in the**  
10 **Senate, April 22, 2009. (JR11)**  
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